

106TH CONGRESS
2D SESSION

H. R. 4707

To amend titles XIX and XXI of the Social Security Act to permit States the option of coverage of legal immigrants under the Medicaid Program and the State children’s health insurance program.

IN THE HOUSE OF REPRESENTATIVES

JUNE 21, 2000

Mr. DIAZ-BALART (for himself, Mr. WAXMAN, Ms. ROS-LEHTINEN, Mr. MENENDEZ, Mr. GILMAN, Ms. LOFGREN, Mrs. MORELLA, Ms. ROYBAL-ALLARD, Mr. BILBRAY, Mr. RODRIGUEZ, Mr. FOLEY, and Mr. GREEN of Texas) introduced the following bill; which was referred to the Committee on Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend titles XIX and XXI of the Social Security Act to permit States the option of coverage of legal immigrants under the Medicaid Program and the State children’s health insurance program.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Legal Immigrant Chil-
5 dren’s Health Improvement Act of 2000”.

1 **SEC. 2. OPTIONAL COVERAGE OF LEGAL IMMIGRANTS**
2 **UNDER THE MEDICAID PROGRAM AND CHIP.**

3 (a) MEDICAID PROGRAM.—Section 1903(v) of the
4 Social Security Act (42 U.S.C. 1396b(v)) is amended—

5 (1) in paragraph (1), by striking “paragraph
6 (2)” and inserting “paragraphs (2) and (4)”; and

7 (2) by adding at the end the following new
8 paragraph:

9 “(4)(A) A State may elect (in a plan amendment
10 under this title) to provide medical assistance under this
11 title, notwithstanding sections 401(a), 402(b), 403, and
12 421 of the Personal Responsibility and Work Opportunity
13 Reconciliation Act of 1996, for aliens who are lawfully re-
14 siding in the United States (including battered aliens de-
15 scribed in section 431(c) of such Act) and who are other-
16 wise eligible for such assistance, within either or both of
17 the following eligibility categories:

18 “(i) PREGNANT WOMEN.—Women during preg-
19 nancy (and during the 60-day period beginning on
20 the last day of the pregnancy).

21 “(ii) CHILDREN.—Children (as defined under
22 such plan), including optional targeted low-income
23 children described in section 1905(u)(2)(B).

24 “(B) In the case of a State that has elected to provide
25 medical assistance to a category of aliens under subpara-
26 graph (A), no action may be brought under an affidavit

1 of support against any sponsor of such an alien on the
2 basis of provision of assistance to such category.”.

3 (b) CHIP.—Section 2107(e)(1) of such Act (42
4 U.S.C. 1397gg(e)(1)) is amended by adding at the end
5 the following new subparagraph:

6 “(D) Section 1903(v)(4) (relating to op-
7 tional coverage of categories of permanent resi-
8 dent alien children), but only if the State has
9 elected to apply such section to the category of
10 children under title XIX.”.

11 (c) EFFECTIVE DATE.—The amendments made by
12 this section take effect on October 1, 2000, and apply to
13 medical assistance and child health assistance furnished
14 on or after such date.

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